

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITAK & CITAK, DONALD CITAK and
BURTON CITAK,

Plaintiffs,

Civil Action No. 07 CIV 5459 (WHP)

- against -

THE ST. PAUL TRAVELERS COMPANIES,
INC., a/k/a ST. PAUL FIRE AND MARINE
INSURANCE COMPANY,

Defendant.

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**DECLARATION
IN FURTHER SUPPORT OF PLAINTIFFS' CROSS-MOTION
TO AMEND COMPLAINT**

PETER WESSEL, an attorney duly licensed to practice law before the courts in the State of New York and admitted to the Bar of the District Court for the Southern District of New York, subscribes and declares under penalty of perjury that the following is true and correct, pursuant to 28 U.S.C. § 1746.

1. I am the attorney for the Plaintiffs in the above action and, as such, am fully familiar with the facts and circumstances herein.
2. I submit this Declaration in further support of Plaintiffs' cross-motion to further amend their Amended Complaint herein, due to information that has recently come into your declarant's possession.
3. A list of the exhibits annexed to the Plaintiffs' reply papers herein are as follows:

Exhibit "XIII": Plaintiffs' Original Complaint, dated May 30, 2007;

4. In this Reply I am constrained to address solely matters raised by Defendant in response to Plaintiffs' cross-motion to amend the Amended Complaint. At the time of oral argument I will address further assertions made in support of Defendant's motion to dismiss.

WHEREFORE, I respectfully submit this Exhibit, the Reply Declaration of DONALD L. CITAK, ESQ., dated March 14, 2008, and the accompanying Reply Memorandum of Law in further support of the instant cross-motion to further amend the Amended Complaint.

Dated: New York, NY
March 14, 2008


PETER WESSEL (PW 4164)